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Attorneys for Defendants
 ETHICON, INC.; and JOHNSON & JOHNSON

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

DAWN WILLIAMS and DANIEL
 WILLIAMS,

Plaintiffs,

v.

ETHICON WOMEN'S HEALTH
 AND UROLOGY, a Division of
 ETHICON, INC.; GYNECARE, a
 Division of ETHICON, INC.; ETHICON,
 INC.; and JOHNSON & JOHNSON,

Defendants.

) Case No. 4:21-cv-04285-HSG

)
) **STIPULATION TO EXTEND TIME TO**
) **RESPOND TO INITIAL COMPLAINT AND**
) **TO CONTINUE CASE MANAGEMENT**
) **CONFERENCE; DECLARATION OF**
) **JOSHUA J. WES; ORDER**

) Judge: Hon. Haywood S. Gilliam, Jr.

) Complaint Filed: June 4, 2021

) Trial Date: N/A

) Current Response Date: September 10, 2021

) New Response Date: October 8, 2021

) Current CMC Date: October 5, 2021

) Proposed CMC Date: November 9, 2021

Plaintiffs Dawn Williams and Daniel Williams ("Plaintiffs") and Defendants Ethicon, Inc. and Johnson & Johnson ("Defendants")¹ stipulate that the time for Defendants to respond to the Complaint in this action shall be extended from September 10, 2021 to October 8, 2021. Plaintiffs and Defendants

¹ The Complaint also names as defendants "Ethicon Women's Health and Urology, a Division of Ethicon, Inc." and "Gynecare, a Division of Ethicon, Inc." These are nonjuridical entities incapable of suing or being sued in their own names. They are encompassed in Ethicon, Inc.

also stipulate to continue the Case Management Conference and related deadlines, currently set for October 5, 2021, to November 9, 2021 or a date thereafter based on the Court's availability.

This Stipulation is accompanied by the Declaration of Joshua J. Wes in support thereof, and the attached [Proposed] Order.

DATED: September 3, 2021

DOLAN LAW FIRM, PC

By: 

Christopher B. Dolan
Lourdes DeArmas
Allison L. Stone
Taylor French
Attorneys for Plaintiffs DAWN WILLIAMS
and DANIEL WILLIAMS

DATED: September 7, 2021

TUCKER ELLIS LLP

By: 

Mollie F. Benedict
Joshua J. Wes
Kaitlyn N. Pangburn
Attorneys for Defendants
ETHICON, INC. and JOHNSON &
JOHNSON

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

1 DATED: September 7, 2021

TUCKER ELLIS LLP

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4 By: 

Mollie F. Benedict

Joshua J. Wes

Kaitlyn N. Pangburn

Attorneys for Defendants

ETHICON, INC. and JOHNSON &
JOHNSON

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TUCKER ELLIS LLP
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DECLARATION OF JOSHUA J. WES

I, Joshua J. Wes, declare:

1. I am a partner at the law firm Tucker Ellis LLP, counsel of record for Defendants in this action. I am licensed to practice law in the state of California, and I am authorized to practice law in this Court. I make this declaration based on my personal knowledge, and, if called as a witness, could testify competently to the following facts.
2. Plaintiffs filed the Complaint on June 4, 2021, and served Defendants on August 20, 2021.
3. On August 30, 2021, Defendants contacted counsel for Plaintiffs in attempt to meet and confer regarding their intent to file a Rule 12(b) Motion to Dismiss. Defendants followed up on September 2, 2021, and received a response from counsel for Plaintiffs that a stipulation for an extension of time to respond would be appropriate under the circumstances due to a personal health issue.
4. Defendants and Plaintiffs have agreed to an extension of time to respond to the Complaint from September 10, 2021 to October 8, 2021.
5. A Case Management Conference is currently scheduled for October 5, 2021. The Case Management Conference was previously continued from September 7, 2021 to October 5, 2021 because it was set before Defendants had been served or appeared.
6. So that the parties have time to address Defendants' pleading challenges to the Complaint, Defendants and Plaintiffs have agreed to a continuance of the Case Management Conference and related deadlines from October 5, 2021 to November 9, 2021 or a date thereafter based on the Court's availability.
7. The extension of time proposed herein would not impact the schedule for the case, as Defendants have not filed a response to the Complaint and a trial date has not yet been set.

I declare that the foregoing is true and correct under penalty of perjury of the laws of the United States and the state of California, and that this declaration is executed by me on September 7, 2021.



Joshua J. Wes

ORDER

IT IS ORDERED that Defendants' new response date to Plaintiffs' initial Complaint is October 8, 2021. The Case Management Conference and related deadlines set for October 5, 2021 is rescheduled to November 9, 2021 at 2:00 P.M.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 9/7/2021



The Honorable Haywood S. Gilliam, Jr.